

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE MASSACHUSETTS DIET DRUG LITIGATION)
FILED IN ALL CASES)

MARY ANDRUS; ELEANOR ARCHAMBEAU; DIANE)
BONNEAU; LERTIS CALDWELL; PRISCILLA COTE;)
THERESA DEJOY; LAURAL FANKHAUSER; NANCY)
KENNEDY; BARBARA WILLIAMS; LUCINDA)
YOUELL,)

PLAINTIFFS,)

v.)

INDEVUS PHARMACEUTICALS, INC., F/K/A)
INTERNEURON PHARMACEUTICALS, INC.; WYETH,)
INC., F/K/A AMERICAN HOME PRODUCTS)
CORPORATION; WYETH PHARMACEUTICALS, INC.,)
F/K/A WYETH-AYERST PHARMACEUTICALS, INC.,)
A DIVISION OF AMERICAN HOME PRODUCTS)
CORPORATION; AND BOEHRINGER INGELHEIM)
PHARMACEUTICALS, INC.,)

DEFENDANTS.)

CIVIL ACTION
NO. 04-10911 GAO

**WYETH'S MOTION FOR LEAVE TO FILE
A MEMORANDUM IN EXCESS OF TWENTY PAGES IN
OPPOSITION TO ALL PLAINTIFFS' MOTIONS FOR REMAND**

Defendant Wyeth¹ requests leave to file an memorandum in excess of twenty (20) pages in opposition to all plaintiffs' Motions for Remand. It is necessary to exceed the 20-page limit to present the relevant facts and legal arguments in a coherent manner and to ensure that the Court adequately

¹ Sued herein as Wyeth, Inc. f/k/a American Home Products Corporation and Wyeth Pharmaceuticals, Inc. f/k/a Wyeth-Ayerst Pharmaceuticals, Inc. a Division of American Home Products Corporation.

understands the issues raised by plaintiffs' motions and Wyeth's opposition thereto. Plaintiffs have assented to this motion.

WHEREFORE, Wyeth, with the assent of plaintiffs, respectfully requests that the Court allow it leave to file the accompanying memorandum exceeding 20 pages, in opposition to all plaintiffs' Motions for Remand.

Respectfully submitted,

/s/ Janice W. Howe

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Dated: August 9, 2004

CERTIFICATE OF CONFERENCE UNDER LOCAL RULE 7(A)(2)

On August 9, 2004 Mary B. Murrane, Esq., counsel for Wyeth, contacted all plaintiffs' local counsels regarding this motion. Edward Barshak, Esq. of Sugarman, Rogers, Barshak & Cohen, P.C., Michael Friedman, Esq. of Brickley, Sears & Sorrett, P.A., and Marilyn McGoldrick, Esq. of Thornton & Naumes, LLP, assented to the filing of this motion. Ms. Murrane left messages for Michael Hugo, Esq. of Lopez, Hodes, Restaino, Milman & Skikos, , and Dante Mummolo, Esq. of Iannella and Mummolo regarding this motion, but was unable to obtain their assent or opposition prior to filing.

/s/ Janice W. Howe

Janice W. Howe

*Counsel for Defendants Wyeth
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CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2004, a true copy of the above document was served upon the following counsel by Federal Express.

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